

Remarks

The Amendment and Reply filed on October 18, 2010, and entered by the USPTO contained some errors in the listing of claims. Applicants submit an Appendix, which includes claim amendments as should have been presented in the Amendment and Reply filed on October 18, 2010. The Amendments to the Claims section, provided above, is based on the claims as filed in the Amendment and Reply of October 18, 2010, and were entered by Examiner.

Upon entry of the foregoing amendment, claims 1-38 and 41-44 are pending in the application, with claims 1, 7, 15, 16, 23, 24, 29, and 30 being the independent claims. Claims 39 and 40 were previously cancelled without prejudice to or disclaimer of the subject matter therein. Claims 1, 15, 24 and 28 are sought to be amended for clarification and to correct minor informalities. Applicants reserve the right to prosecute similar or broader claims, with respect to the amended and/or cancelled claims, in the future. Specification is sought to be amended as shown above. These changes are believed to introduce no new matter, and their entry is respectfully requested.

The amendments should be entered after final because they are for clarification and merely correct minor informalities. No new issues are raised that require further search or consideration. The amendments should place the application in condition for allowance, or in better condition for appeal.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding rejections and that they be withdrawn.

Rejections under 35 U.S.C. § 103

Claims 1, 7, 16, 24, 29, and 30

Claims 1-4, 7-10, 14, 16-19, 24-26, 29-33, 37, and 38 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,041,412 to Timson et al. ("Timson") in view of U.S. Patent No. 6,959,336 to Moreh et al. ("Moreh") and further in view of U.S. Patent No. 6,839,843 to Bacha et al. ("Bacha"). Applicants respectfully traverse this rejection and the "Response to Arguments" section at pages 2-5 of the Final Office Action.

Independent claims 1, 7, 16, 24, 29, and 30 recite features that distinguish over the applied references. For example, independent claim 1 recites, *inter alia*, "determining, using the processing device, whether access candidate attributes satisfy access requirements of the resources, *wherein the access candidate attributes are revisable based, at least in part, on a determination indicating that access to the first level is prohibited.*" Independent claims 7, 16, 24, 29, and 30 recite similar distinguishing features, using their respective language. These features are neither disclosed nor suggested by the applied references.

As discussed in the Amendment and Reply filed on October 18, 2010, and as admitted by the Examiner, at least at page 8 of the Final Office Action, Timson and Moreh, taken alone or in combination, do not teach or suggest the above-noted distinguishing features of independent claims 1, 7, 16, 24, 29, and 30. To overcome the deficiencies of Timson and Moreh, the Examiner, at page 8 of the Final Office Action, relied on column 10, lines 48-60 of Bacha to allegedly teach the above-noted distinguishing features. Applicants respectfully disagree and maintain that Bacha does

not teach or suggest “the access candidate attributes are revisable based, at least in part, on a determination indicating that access to the first level is prohibited,” as recited in claim 1 (claims 7, 16, 24, 29, and 30 recite similar distinguishing features, using their respective language).

In essence, Bacha teaches “the ability to update the given *document’s access control*” (Bacha, column 10, lines 48-50), while the claims recite *access candidate attributes* are revisable. It is noted that the “access candidate attributes” of the claims are not the same as the “document’s access control” of Bacha.

Please note that claim 1 recites “access candidate attributes” that are associated with the access candidate and “access requirements of the resources” (or “access requirements of the electronic data”) that are associated with the resources (or the electronic data). The Examiner, in the Non-Final Office Action of July 19, 2010, used the same section of Bacha to allegedly reject the “the resolution authority *modifies the access requirements*” feature, which was previously presented in the claims. Thus, the Examiner previously analogized the “access requirements” associated to the resources or the electronic data of independent claims to the “document’s access control” of Bacha. However, in the Final Office Action, the Examiner is using “document’s access control” of Bacha to allegedly show “access candidate attributes”. Applicants respectfully disagree.

The “access candidates attributes” of independent claims 1, 7, 16, 24, 29, and 30 are associated with the access candidate. In contrast, the “document’s access control” of Bacha is associated with the document. Bacha's modification to the access list of a document is not the same or similar to access candidate attributes being revisable based,

at least in part, on a determination that an access is denied, as recited in independent claims 1, 7, 16, 24, 29, and 30, using their respective language.

Thus, as Bacha fails to cure the deficiencies of Timson and Moreh as noted above, the applied references cannot be used to establish a *prima facie* case of obviousness. Therefore, claims 1, 7, 16, 24, 29, and 30 are allowable over Timson, Moreh, and Bacha taken alone or in combination for at least the reasons provided above.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection, and find claims 1, 7, 16, 24, 29, and 30 allowable over the applied references. Also, at least based on their respective dependencies to claims 1, 7, 16, 24, and 30, claims 2-4, 8-10, 14, 17-19, 25, 26, 31-33, 37, and 38 should be found allowable over the applied references, as well as for their respective additional distinguishing features.

Claims 15 and 23

Claims 5, 6, 11-13, 15, 20-23, 27, 28, 34-36, and 41-44 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Timson in view of Moreh and further in view of Bacha and in further view of U.S. Patent Application Publication No. 2004/0049687 to Orsini et al. ("Orsini"). Applicants respectfully traverse this rejection and the "Response to Arguments" section at pages 2-5 of the Final Office Action.

Claim 15

Independent claim 15 recites features that distinguish over the applied references. For example, claim 15 recites, *inter alia*, "determining, using the processing device, whether the access candidate attributes satisfy access requirements of the first security

level, *wherein the access candidate attributes are revisable based, at least in part, on a determination indicating that access to the first security level is prohibited.*"

These features are neither disclosed nor suggested by the applied references. As discussed above, Timson, Moreh, and Bacha taken alone or in combination do not disclose or suggest the above-noted distinguishing features of claim 15.

Further, on pages 19-20 of the Final Office Action the Examiner states that Orsini allegedly teaches, which Applicants do not acquiesce to, "b) at least a citizenship requirement and a location requirement for access to data associated with the at least one data class;" and "c) an indication of a citizenship status of the access candidate, an indication of a current location of the access candidate, and an indication of an existence of a data access agreement with the access candidate". However, Orsini is not used to disclose, nor does Orsini teach or suggest, at least the above-noted distinguishing features of claim 15. Thus, as Orsini fails to cure the deficiencies of Timson, Moreh, and Bacha as noted above, the applied references cannot be used to establish a prima facie case of obviousness. Therefore, claim 15 is patentable over Timson, Moreh, Bacha, and Orsini taken alone or in combination for at least the reasons provided above.

Claim 23

Independent claim 23 recites features that distinguish over the applied references. For example, claim 23 recites, inter alia, *"identify one or more data access controllers corresponding to the one or more portions of the electronic data"* and *"forward the request for access to the one or more identified data access controllers for evaluation* regarding whether to grant access to the corresponding one or more portions of the

electronic data.” These features are neither disclosed nor suggested by the applied references. The Examiner, at pages 4, 23, and 24 of the Final Office Action, relies on Timson to allegedly show the above-noted distinguishing features of claim 23. Applicants respectfully disagree.

The Examiner, in response to Applicants’ arguments and at page 4 of the Final Office Action, relies on column 3, lines 34-40 and 57-64 and column 2, lines 31-34 and 40-41 of Timson, to allegedly teach, which Applicants do not acquiesce to, “forward the request for access to the one or more identified data access controllers for evaluation,” as recited in claim 23. However, the Examiner does not state how Timson allegedly teaches “identify one or more data access controllers corresponding to the one or more portions of the electronic data,” as recited in claim 23.

As discussed in the Amendment and Reply filed on October 18, 2010, Timson discloses that an interrogatable module (IM) and an enable module (EM) communicate with each other to evaluate permissions for data access and/or operations (Thomson column 3, lines 14 - column 4, line 15). However, there is no teaching or suggestion that Timson's system is able to identify one or more data access controllers and to forward a request to the identified data access controllers for evaluation of granting access, as disclosed in claim 23, using its respective language.

Further, Moreh, Bacha, and Orsini are not used to disclose, nor do Moreh, Bacha, and Orsini teach or suggest, at least the above-noted distinguishing features of claim 23. Thus, as Moreh, Bacha, and Orsini fail to cure the deficiencies of Timson as noted above, the applied references cannot be used to establish a prima facie case of

obviousness. Therefore, claim 23 is allowable over Timson, Moreh, Bacha, and Orsini taken alone or in combination for at least the reasons provided above.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection, and find claims 15 and 23 allowable over the applied references. Also, at least based on their respective dependencies to claims 1, 7, 15, 16, 24, and 30, claims 5, 6, 11-13, 20-22, 27, 28, 34-36, and 41-44 should be found allowable over the applied references, as well as for their respective additional distinguishing features.

Reply to Office Action of January 7, 2011

BELANGER *et al.*
Appl. No. 10/659,368

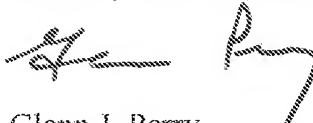
Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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